

MAINE STATE LEGISLATURE

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State of Maine
ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE
COMMITTEE ON TRANSPORTATION

January 26, 2010

The Honorable Hannah M. Pingree
Speaker of the House of Representatives
The Honorable Elizabeth H. Mitchell
President of the Senate
124th Legislature
State House
Augusta, ME 04330

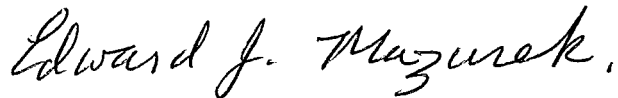
Dear Madam Speaker and Madam President:

Pursuant to Title 3 Maine Revised Statutes, chapter 35, we are pleased to submit the findings of the Joint Standing Committee on Transportation from the review and evaluation of the Maine Pilotage Commission under the State Government Evaluation Act. In its review, the committee found that the Maine Pilotage Commission is operating within its statutory authority.

Sincerely,



Senator Dennis S. Damon
Chair



Representative Edward J. Mazurek
Chair

cc: David Cole, Commissioner, Maine Department of Transportation
Kevin Rousseau, Administrator, Maine Pilotage Commission
Patrick T. Norton, Director, Office of Policy and Legal Analysis

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JOINT STANDING COMMITTEE ON TRANSPORTATION

**Review of the Maine Pilotage Commission
Pursuant to the Government Evaluation Act**

The Government Evaluation Act:

The Government Evaluation Act ("Act") provides for a system of periodic review of the efficacy and performance of state government agencies. The law, enacted in the 117th Legislature to replace the Government Audit and Program Review Program, substitutes a legislative audit of each agency with an agency self-assessment.

The keystone to the Act is the agency program evaluation report, which consists of a number of components required by the statute. Essentially, the report is an agency self-assessment that the committee of jurisdiction uses as a starting point for its evaluation of the agency's effectiveness, efficiency and performance. The report must include the following: the agency's enabling statutes; program descriptions; organizational structure, position count and job classifications; compliance with federal and state health and safety laws; ten-year financial summaries; regulatory agenda; coordinated efforts with other state agencies; constituencies served by the agency; alternative delivery systems; emerging issues for the agency; comparison of state laws to federal laws; policies regarding use of personal information; and public filing requirements.

Review Process:

Pursuant to the requirements of the Act, the Joint Standing Committee on Transportation notified the Maine Turnpike Authority by letter of its intent to review the Authority on April 21, 2009. The Turnpike submitted its Program Evaluation Report on October 5, 2009. The Administrator of the Maine Pilotage Commission, Kevin J. Rousseau, presented the report to the Committee on January 12, 2010.

Findings of Review:

The Maine Pilotage Commission is established by law under Title 5, section 12004-A, subsection 40. The Maine Pilotage Commission (MPC) functions to provide maximum safety from the dangers of navigation for vessels entering or leaving certain bodies of water in the State of Maine. All foreign flagged vessels and American vessels under register with a draft of nine feet or more are required to take a state-licensed pilot.

The MPC establishes standards for licensing pilots, promulgates rules, and investigates marine incidents involving possible pilot misconduct to ensure that pilotage continues to remain safe and reliable along the Maine coast. Currently, 11 licensed active pilots and three inactive pilots guide vessels through waters over which the MPC has jurisdiction.

The largest emerging issue for the MPC is the need to maintain eligible pilots in areas where there is minimal coverage or traffic. Given the necessarily stringent licensing requirements, the apprenticeship and development of pilot candidates is a long process that often is the culmination of a successful maritime career.

The Joint Standing Committee on Transportation unanimously finds that the Maine Pilotage Commission is operating within its statutory authority.